



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Commission

DATE: July 25, 2007

FR: Deputy Executive Director, Policy

W.I.:

RE: 2007 Transportation Improvement Program (TIP), Amendment 07-12, MTC Resolution No. 3755, Revised

Background:

The federally required TIP is a comprehensive listing of all Bay Area surface transportation projects that are to receive federal funding or are subject to a federally required action, or are considered regionally significant for air quality conformity purposes, during the four-year period from federal fiscal year (FFY) 2006-07 through FFY 2009-10. MTC is required to prepare and adopt an updated TIP every two years. The 2007 TIP was adopted by the Commission on July 26, 2006 and approved by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) on October 2, 2006. It is valid through October 1, 2008. The TIP may be amended to make necessary changes to the project listings prior to the next update.

Amendment 07-12 adds \$24.9 million in new Public-Private Partnership Pilot Program (Penta-P) funds to the BART: Oakland Airport Connector Project (OAC).

The revision made with this amendment is exempt for air quality purposes and will not change the air quality conformity finding and will not conflict with the financial constraint requirements of the TIP. Therefore an air quality conformity determination is not required and the 2007 TIP remains financially constrained. A copy of the project listing is attached and is also available on the Internet at: <http://www.mtc.ca.gov/funding/tip/proposed.htm>.

The amendment will be transmitted to Caltrans after the Commission's approval; after its review, Caltrans will forward the amendment to FHWA and FTA as required for final federal agency review and approval.

Approval of TIP Amendment 07-12 by the Commission is contingent upon the conclusion of the 30-day comment period and receipt of no public comment that seeks clarification information about the project or states opposition to the project. Any such public comment during the 30-day comment period will necessitate the return of the amendment to the Commission for consideration and approval at its September 2007 meeting.

Issues:

The Penta-5 program is new this Fiscal Year. The BART OAC is one of the first projects nationwide to be selected for the program. BART and FTA have signed a Memorandum of Understanding regarding participation in the Program. A formal announcement from the FTA regarding Penta-5 funding for the OAC is expected later this month. The Programming & Allocations Committee did not review this item because FTA contacted staff with this TIP Amendment request after the Committee meeting, and requested that the Amendment occur immediately.

Recommendation:

Staff recommends the Commission approve MTC Resolution No. 3755, Revised.

Attachments:

MTC Resolution No. 3755, Revised

Attachment 1, TIP Amendment 07-12 Project Listing Report

Therese McMillan